

**SYDNEY WEST REGIONAL PLANNING PANEL MEETING  
HELD AT BANKSTOWN CITY COUNCIL  
ON THURSDAY 15 DECEMBER 2011 AT 10.00 AM**

**PANEL PRESENT:**

|                   |                   |
|-------------------|-------------------|
| Mary-Lynne Taylor | Chair             |
| Stuart McDonald   | Panel Member      |
| Tania Mihailuk    | Panel Member      |
| Glenn Brookes     | Panel Member      |
| Suzie Jattan      | Panel Secretariat |

**COUNCIL STAFF IN ATTENDANCE:**

|              |                                      |
|--------------|--------------------------------------|
| Scott Pedder | Director City Planning & Environment |
| Steve Arnold | Team Leader Development Assessment   |
| Ian Woodward | Manager Development Services         |

**APOLOGIES: PAUL MITCHELL**

1. The meeting commenced at 10.10am

2. **Declarations of Interest** - Nil

3. **Business Item**

The meeting is being held in response to the application being deferred at the JRPP meeting of 27 October 2011 to discuss the permissibility of this development at this site having regard to the provisions contained within State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP) and the amendment to the ARH SEPP for:-

***Item 1 - 2011SYW027 Bankstown City Council DA-76/2011 - Construction of part two/part three storey residential flat development containing 144 dwellings pursuant to SEPP (Affordable Rental Housing) 2009, 81-95 Boronia Rd Greenacre***

4. **Public Submission**

Jennifer Eggins (Principal Banksia Road Public School) addressed the Panel against the item.

Ben Tesoriero (from Creative Planning Solutions) and Alice Spizzo addressed the Panel in favour of the item.

5. **The Panel's Decision**

**2011SYW027 Bankstown City Council DA-76/2011 - Construction of part two/part three storey residential flat development containing 144 dwellings pursuant to SEPP (Affordable Rental Housing) 2009, 81-95 Boronia Rd Greenacre**

Motion – **Moved** by Tania Mihailuk, **Seconded by Glenn Brookes** to refuse the application for the reasons outlined in Council's Town Planning Assessment Report to the JRPP meeting of 27 October 2011.

The above motion to refuse the application was not supported by Mary-Lynne Taylor and Stuart McDonald.

Mary-Lynne Taylor recommended that the application be deferred to gain independent legal advice from Senior Counsel in respect to the following:

- (i) The permissibility of the development with particular reference to the application of the ARH SEPP
- (ii) The interpretation of the discretion within the amended SEPP with regards to the word 'may'.
- (iii) The interpretation of the equivalent zone test.

The vote was 3 - 2 in favour of the recommendation with the Chair using a casting vote.

The meeting concluded at 10.45 am.

Endorsed by:-

Mary-Lynne Taylor  
Chair, Sydney West Region  
Joint Regional Planning Panel  
Date: 23 December 2011